

REMARKS

By this amendment, claims 1, 3-7, 9 and 10 have been amended. Claims 12 and 17-20 have been canceled. Claim 14 was previously withdrawn.

Claims 1-11 and 13-16 are currently pending in the application, of which claim 14 is withdrawn. Reconsideration and allowance of all of the claims is respectfully requested in view of the foregoing amendments and the following remarks.

In regard to Objection to Claims 3-13 under 37 CFR 1.75(c)

The Examiner has objected to the claims under 37 CFR 1.75(c) as being in improper dependent form.

The Applicants have canceled claim 12, and as such the Examiner's objection is moot with respect thereto.

In response to the Examiner's remarks, claims 3-7, 9 and 10 have been amended to correct their dependencies. As a result of this amendment, claims 3-7, 9 and 10 are no longer in multiple-dependent form.

Claims 13 and 14 have been amended to correct their dependencies in view of the cancellation of claim 12.

As a result of the present amendment, claims 3-13 are now believed to be in full compliance with the rules, and the Examiner's objection should be withdrawn.

In regard to Rejection of Claims 1 and 16-18 under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1 and 16-18 under 35 U.S.C. § 102(b) as being anticipated by Matsubayashi, U.S. Patent No. 5,107,952. The Applicants believe that this rejection has been addressed and overcome by the present amendment.

The Applicants have canceled claims 17 and 18, and as such the Examiner's rejection is moot with respect thereto.

In response to the Examiner's remarks, claim 1 has been amended.

The Examiner's attention is directed to the following feature of claim 1 as amended:

a release lever movable between a first position and a second position, the release lever being operatively connected to the selectively releasable connector, the release lever being biased toward the first position,

The Applicants submit that at least the above feature of claim 1 as amended is not taught by Matsubayashi.

As the Examiner has stated in paragraph 4 of the rejection, the storage receptacle 20 of Matsubayashi is secured to the rear parts 80', 81' of the frame via a nut and bolt type fastener. Matsubayashi makes no mention of any other type of fastener. Therefore, Matsubayashi does not teach a release lever movable between a first position and a second position, the release lever being operatively connected to the selectively releasable connector, the release lever being biased toward the first position.

Therefore, at least one feature of claim 1 as amended is not taught by Matsubayashi, and the Examiner is requested to withdraw his rejection of claim 1 and claim 16 depending therefrom.

In regard to Rejection of Claims 2 and 15 under 35 U.S.C. § 103(a)

The Examiner has rejected claims 2 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Matsubayashi. The Applicants believe that this rejection has been addressed and overcome by the present amendment.

The Examiner's attention is directed to the following feature of claim 1 as amended:

a release lever movable between a first position and a second position, the release lever being operatively connected to the selectively releasable connector, the release lever being biased toward the first position,

As discussed above with respect to claims 1 and 16-18, the above feature of claim 1 as amended is not taught by Matsubayashi.

This deficiency in Matsubayashi is not remedied by the Examiner's assertion with respect to claim 2 that

[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to construct the ATV of Matsubayashi et al. to have a wheelbase greater than 55 inches as an obvious choice in design which involves no new or unexpected results when so constructed

or by the Examiners' assertion with respect to claim 15 that

[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to construct the ATV of Matsubayashi et al. with wheels including low-pressure balloon type tires as an obvious choice in design which involves no new or unexpected results when so constructed.

The Applicants do not admit the correctness of the Examiner's assertions and reserve the right to argue thereagainst in the future.

As such, at least one feature of claim 1 as amended is not taught by Matsubayashi or the Examiner's assertions, without admitting the correctness of the Examiner's assertions. The Examiner is therefore requested to withdraw his rejection of claims 2 and 15.

In regard to Rejection of Claim 20 under 35 U.S.C. § 103(a)

The Examiner has rejected claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Matsubayashi in view of Stewart, U.S. Patent No. 6,538,567.

The Applicants have canceled claim 20, and as such the Examiner's rejection is moot.

Miscellaneous Amendments

By the present amendment, claims 17-20 have been canceled to expedite prosecution of the application and not for reasons relating to patentability. The Applicants reserve the right to present the canceled claims in a later continuation application.

Support for Amendments

By the present amendment, claim 1 has been amended. This amendment is believed to be supported by the specification as originally filed, in particular paragraphs [0053]-[0055] and Figures 4 and 5 thereof.

Request for Rejoinder

The Applicants request that claim 14, previously withdrawn, be rejoined and allowed in view of its dependency from claim 1.

In view of the above remarks, the Applicant respectfully submits that all of the currently pending claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in a better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

At the time of filing of the present response, the Office was authorized to charge the fees believed to be necessary to a credit card. In case of any under- or over-payment or should any additional fee be otherwise necessary, the Office is hereby authorized to credit or debit (as the case may be) Deposit Account number 502977.

Respectfully submitted,

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